

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1931 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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DINESHKUMAR L PATEL

Versus

THE STATE OF GUJARAT

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Appearance:

None present for Petitioner

MR HL JANI for Respondent No. 1

MS PRERNA VAKHARIA for Respondent No. 2

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 14/03/97

ORAL JUDGMENT

The matter was called out for hearing in the first round, then in the second round and lastly in the third round, but none put appearance for petitioner. heard learned counsel for the respondents and perused the Special Civil Application.

2. The learned counsel for respondent No.2 contended

that the Special Civil Application was ordered to be heard with Special Civil Application No.1910 of 1983, which has already been dismissed by this Court on 13th September 1996. The Special Civil Application No.1910 of 1983 has been dismissed for non prosecution and as such the same has not been decided on merits. This petition has therefore to be considered on merits.

3. The petitioner, by this Special Civil Application, prayed for quashing and setting aside the interviews for the post of primary teachers held between December 1981 and December 30 1981 and also the selection list for the said post declared on April 12, 1983 and the appointments made pursuant thereto.

4. This petition was admitted by this Court on 3rd May 1983, but interim relief was not granted. The petitioner has not impleaded as a party to this Special Civil Application, the candidates who have been selected and were given appointments. This writ petition, impugning selection and appointments, without impleading all the persons who have been given appointments, is not maintainable. Reference in this respect may have to the decision of the Apex Court in the case of Ishwar Singh v. Kuldeep Singh, reported in 1995 (Supp.)(1) SCC 179.

5. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. No order as to costs.

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